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9.

December 4, 2003

Richard J. Oparil
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By Federal Express

William B. Singer, Esq.
621 E. Mehring Way, #1609
Cincinnati, Ohio 45202

Re: *Finch, et al. v. Fiorini, et al.*
United States District Court, Southern District of Ohio
Case No. C-1-02-132

Dear Mr. Singer:

As you know, we represent defendant Sanitec, Ltd. We have reviewed the Second Amended Complaint, which appears to be the operative pleading, and have concluded that it is fatally defective for at least two reasons.

First, the complaint does not allege that Sanitec, Ltd. engaged in either securities fraud or RICO violations. Thus, your client is requesting the equitable remedies of a constructive trust and receiver without alleging any actual wrongdoing by Sanitec, Ltd. or an agent of Sanitec, Ltd. acting within the scope of his or her authority. The complaint fails to state a claim against my client.

Second, it is well established that securities fraud and RICO claims must be pled with specificity under Rule 9(b). The Second Amended Complaint does not even come close to meeting that standard. There is simply no specific allegation such as the date, time, place, persons involved, and circumstances surrounding any purported wrongful activity by my client with respect to your client.

Sanitec, Ltd. hereby requests that the plaintiff immediately voluntarily dismiss with prejudice this action against Sanitec, Ltd. If Sanitec, Ltd. is forced to file an answer per Judge Beckwith's ruling and a motion to dismiss, Sanitec, Ltd. will, at the appropriate time, file a motion under Fed. R. Civ. P. 11 and 28 U.S.C. § 1927 against you and your client.

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EXHIBIT A



William B. Singer, Esq.
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Please let me know immediately whether you agree.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Richard J. Oparil', written over a horizontal line.

Richard J. Oparil

RJO:apr

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